

AUG 29 2006

FAX TRANSMISSION**DATE:** August 29, 2006**PTO IDENTIFIER:** Application Number 10/717330-Conf. #8279
Patent Number**Inventor:** Naoyuki ENJOJI et al.**MESSAGE TO:** US Patent and Trademark Office/ MS Amendment**FAX NUMBER:** (571) 273-8800**FROM:** LAHIVE & COCKFIELD, LLP
Anthony A. Laurentano/WEW/cfo**PHONE:** (617) 227-7400**Attorney Dkt. #:** TOW-050**PAGES (including Cover Sheet):** 11**CONTENTS:** Amendment in Response to Non-Final Office Action (8 pages)
Transmittal (1 page)
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PTO/SB/97 (08-04)

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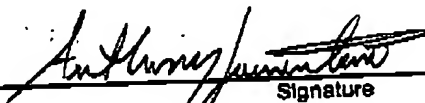
Attorney Docket No.: TOW-050

Application No. (if known): 10/717330

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Amendment in Response to Non-Final Office Action (8 pages)
Transmittal (1 page)

AUG 29 2006

PTO/SB/21 (09-04)

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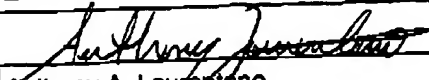
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|--|----------------------|-----------------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application Number | 10/717330-Conf. #8279 |
| | Filing Date | November 18, 2003 |
| | First Named Inventor | Naoyuki ENJOJI |
| | Art Unit | 1745 |
| | Examiner Name | S. J. Kalafut |
| Attorney Docket Number | | TOW-050 |
| Total Number of Pages in This Submission | | |

ENCLOSURES (Check all that apply)

| | | |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): |
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Remarks

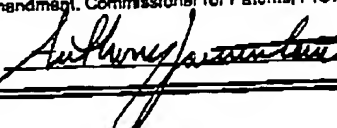
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| Firm Name | LAHIVE & COCKFIELD, LLP | | |
| Signature |  | | |
| Printed name | Anthony A. Laurentano | | |
| Date | August 29, 2006 | Reg. No. | 38,220 |

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Dated: August 29, 2006

Signature: 

(Anthony A. Vagstadano)

Docket No.: TOW-050
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
Naoyuki Enjoji *et al.*

Application No.: 10/717330

Confirmation No.: 8279

Filed: November 18, 2003

Art Unit: 1745

For: FUEL CELL STACK AND METHOD OF
WARMING UP THE SAME

Examiner: S. J. Kalafut

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Office Action dated May 30, 2006, please amend the above-identified U.S. patent application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 6 of this paper.